

FILED

JAN 03 2014

**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Daniel Lutz (*pro hac vice*)
dlutz@aldf.org
Carter Dillard (CA Bar No. 206276)
cdillard@aldf.org
ANIMAL LEGAL DEFENSE FUND
170 E. Cotati Avenue
Cotati, CA 94931
Telephone: 707.795.2533
Facsimile: 707.795.7280

Eric R. Glitzenstein (*pro hac vice*)
eglitzenstein@meyerglitz.com
William S. Eubanks II (*pro hac vice*)
beubanks@meyerglitz.com
MEYER GLITZENSTEIN & CRYSTAL
1601 Connecticut Avenue NW, Suite 700
Washington, DC 20009
Telephone: 202.588.5206
Facsimile: 202.588.5049

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

NATIVE SONGBIRD CARE AND
CONSERVATION, a non-profit organization;
VERONICA BOWERS, an individual;
MADRONE AUDUBON SOCIETY, a non-profit
corporation; CENTER FOR BIOLOGICAL
DIVERSITY, a non-profit corporation; MARIN
AUDUBON SOCIETY, a non-profit corporation;
and GOLDEN GATE AUDUBON SOCIETY, a
non-profit corporation,

Plaintiffs,

v.

ANTHONY FOXX, in his official capacity as
Secretary of United States Department of
Transportation; VICTOR MENDEZ, in his official
capacity as Administrator of the Federal Highway
Administration; and MALCOLM DOUGHERTY,
in his official capacity as Director of the California
Department of Transportation,

Defendants.

Case No. 13-cv-02265-JST

Assigned to: Honorable Jon S. Tigar

**STIPULATION RE: SCHEDULE
FOR PLAINTIFFS' AND
DEFENDANTS' CROSS-MOTIONS
FOR SUMMARY JUDGMENT**

[PROPOSED] ORDER

Date: February 24, 2013
Time: 2:00 pm
Courtroom: 9
Judge: Hon. Jon S. Tigar

Whereas Plaintiffs and Defendants are scheduled to file Summary Judgment Motions in this matter for reasons to be set forth in the Parties' motions, and in order to allow for additional time to bring settlement discussions to a close, the Parties hereby stipulate to the following briefing schedule and hearing date for Defendants' motion for stay of proceedings:

1. Plaintiffs' Motion for Summary Judgment will be filed and served on or before January 13, 2013.
2. Defendants' Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment will be filed and served on or before January 31, 2013.
3. Plaintiffs' Reply in Support of Motion for Summary Judgment and Opposition to Defendants' Cross-Motion for Summary Judgment will be filed and served on or before February 7, 2013.
4. Defendants' Reply in Support of Cross-Motion for Summary Judgment will be filed and served on or before February 14, 2013.
5. The hearing on the Cross-Motions for Summary Judgment will remain unchanged for February 24, 2013 at 2:00 p.m.

This revision of schedule does not alter the hearing date or the amount of time between the last brief and the hearing.

DATED: January 2, 2013

Daniel Lutz
Attorney for Plaintiffs

DATED: January 2, 2013

Jason Hill
Attorney for Federal Defendants

DATED: January 2, 2013

Stacy Lau
Attorney for State Defendant

9
PROPOSED ORDER

The above stipulation is approved.

IT IS SO ORDERED.

DATED: Jan. 3, 2014



JON S. TIGAR
United States District Judge